

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
(317) 232-9855

**FISCAL IMPACT STATEMENT**

**LS 6013**

**BILL NUMBER:** HB 1031

**DATE PREPARED:** Nov 19, 2000

**BILL AMENDED:**

**SUBJECT:** Penalties for Murder.

**FISCAL ANALYST:** Mark Goodpaster

**PHONE NUMBER:** 232-9852

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill provides that a person who was at least: (1) 16 years of age at the time the person committed murder may be sentenced to life imprisonment without parole; and (2) 18 years of age at the time the person committed murder may be sentenced to death or life imprisonment without parole. (Current law allows a person who was at least 16 years of age at the time the person committed murder to be sentenced to death or life imprisonment without parole.) It specifies that if a person: (1) was less than 18 years of age at the time the person committed murder; (2) was sentenced to death for committing the murder; and (3) is awaiting execution of the death sentence; the person's death sentence is commuted to a sentence of life imprisonment without parole.

**Effective Date:** July 1, 2001.

**Explanation of State Expenditures:** As of November 2000, 52 persons were serving terms of life imprisonment without parole and 44 persons were assigned to Indiana Death Row. There are currently no offenders who are on death row who were convicted of murder when they were less than 18 years of age. Three offenders were convicted of murder when they were less than 18 years of age at the time of the murder and received death sentences, but two of the offenders later received sentences of 60 years and one received a sentence of 120 years.

The average expenditure to house an adult offender was \$20,700 in FY 1999. Individual facility expenditures ranged from \$14,936 to \$37,807. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner.

**Explanation of State Revenues:** Local expenditures may decrease if fewer death penalty cases are filed due to this provision. Research indicates that the trial and appeals costs for death penalty cases can be two to three times more than the current range of \$37,000 to \$90,000 spent to impose prison sentences. (Death

penalty case costs are further inflated due to additional police investigation and court time, prosecution resources expended, or the costs of a lengthy jury trial with a sequestered jury.)

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Correction.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:** Planning Division, Department of Correction.